

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
DELTA DIVISION**

**KACHENA JOHNSON**

**PLAINTIFF**

**V.**

**NO. 2:09cv086-P-S**

**THE KROGER COMPANY**

**DEFENDANT**

**PROTECTIVE ORDER**

Upon application of Defendant and by agreement of the parties, and for good cause, the Court finds that a Protective Order should be entered pursuant to Rule 26 of the MISSISSIPPI RULES OF CIVIL PROCEDURE for the purpose of protecting commercial and proprietary information and trade secrets of the Defendant, The Kroger Co. (hereinafter “Kroger”).

1. This Protective Order shall apply to production of information by Kroger in response to Plaintiff’s Requests for Production of Documents. The Protective Order applies to, but is not limited to the following:

- a. Manuals;
- b. Written policies;
- c. Documents and/or other tangible materials;
- d. Any other materials produced by Kroger which may be considered proprietary and confidential;
- e. This protective order applies to information whether produced in electronic format, paper format or otherwise; and

2. All such documents and materials produced by Defendant to counsel for Plaintiff or

other parties shall be used only in the course of the above-captioned proceedings.

3. The documents and materials produced by Defendant to counsel for Plaintiff or other parties shall not be published, orally, by copy, or by any other means, to any other person.

4. Upon conclusion of the this action, counsel for Plaintiff or other parties shall return to counsel for Defendant the original and all copies made of such documents and materials.

5. Counsel for Plaintiff agrees to be bound by the conditions of this Protective Order.

SO ORDERED, this the 12<sup>th</sup> day of November, 2009.

/S/David A. Sanders  
UNITED STATES MAGISTRATE JUDGE

AGREED:

s/Robert M. Tyner, Jr.  
ROBERT M. TYNER, JR.  
ATTORNEY FOR DEFENDANT

s/Christopher Kittell  
CHRISTOPHER KITTELL  
ATTORNEY FOR PLAINTIFF